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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,385	06/19/2001	Tetsuji Ishikawa	109683	1065
25944	7590	07/01/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			GRAY, LINDA LAMEY	
			ART UNIT	PAPER NUMBER

1734

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/883,385

Applicant(s)

ISHIKAWA ET AL.

Examiner

Linda L Gray

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004 and 07 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14, 15 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12, 14, 15 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**Detailed Action**

**Claim Objections**

1. **Claims 18 and 21** are objected to because of the following informalities: **claim 18**, "with" should be inserted after "printed" (L 2); **claim 21**, "film" (L 3) should be "tape", and "the" or "said" should be inserted before "roll" (L 3).

**Claim Rejections - 35 USC § 103**

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. **Claims 12, 14, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dronzek, JR. et al. (US 2003/0034645 A1) in view of Oddy (US 3,966,534).**

**Claim 12**, Dronzek et al. teach a process for producing a strip using a printer, wide main film 11, and adhesive film 7, including the steps of (a) extending film 11 along a running direction perpendicular to a width of film 11, (b) printing desired item 12 on a first surface of film 7 with the printer where film 7 having adhesive 18 on second surface 16, (c ) adhering film 7 by second surface 16 onto a third surface of film 11 while extending film 7 along the running direction, (d) extending films 7 and 11 together along the running direction, and (e) cutting the adhered films 7 and 11 into therealong (p 2, to p 3, c 1).

**Claim 12**, Dronzek et al. do not teach cutting the strip of labels along the running direction by a slit knife unit to produce a plurality of narrow main tapes and winding the tapes to produce a corresponding narrow roll.

However, it is conventional to cut a strip of labels along the running direction by a slit knife unit to produce a plurality of narrow main tapes and winding the tapes to produce a corresponding narrow roll where the labels are provided across the width of the main strip such that a large quantity of label rolls can be made in one pass through a label maker, and Oddy is provided to

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demonstrate. Specifically, Oddy teaches cutting strip 111 of labels 157 along the longitudinal running direction by a slit knife unit 151 to produce a plurality of narrow main tapes and winding the tapes to produce a corresponding narrow roll.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Dronzek et al. cutting the strip of labels along the running direction by a slit knife unit to produce a plurality of narrow main tapes and winding the tapes to produce a corresponding narrow roll because such conventionally for a large quantity of label rolls to be made in one pass through a label maker, as demonstrated by Oddy.

**Claim 14**, Dronzek et al. teach that film 7 is sent in the direction along the running direction of film 11 and is stuck on a surface of film 11. **Claim 18**, in Dronzek et al. modified there will be an end label at the end of any roll produced therefrom and thus item 12 of that label will be arranged on a surface of a portion of film 11 where the portion becomes a winding termination position of the main tape. **Claim 20**, Dronzek et al. teaches printer 52 disposed along the running direction of film 11 in the upstream side from the knife unit in that printer 52 is before bonding and cutting is after bonding.

**Claim 19**, Dronzek et al. modified do not teach forming a hole in film 11 with film 7 placed thereover.

However, it is conventional to provide labels with holes therein such one can remove the label from the container more easily is so desired, and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided a hole or holes in film 11 where film 7 is placed thereover.

**4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dronzek et al. in view of Oddy as applied to claims 12, 14, and 18-20 above, and further in view of Nowaczyk (US 6,371,187).**

**Claim 15**, Dronzek et al. do not teach that film 7 is first sent in a direction perpendicular to the running direction.

However, it is conventional to feed a web material from a direction perpendicular to the running direction as an alternative to parallel, as demonstrated by Nowaczyk, and it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such in Dronzek modified because it is obvious to replace one feed direction with another art recognized alternative feed direction.

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**Allowable Subject Matter**

**5. Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

**6. The following is a statement of reasons for the indication of allowable subject matter: claim 21, Dronzek et al. do not teach that the portion of adhesive 18 exposed in the bottom of the hole is stuck onto a surface of the respective main tape wound in the form of the roll.**

**7. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).**

**Response to Comments**

**8. Applicant's comments filed 3-9-04 and 4-7-04 have been fully considered. In response, the prior art rejection has been withdrawn.**

**Conclusion**

**9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Gray whose telephone number is (571) 272-1228. The examiner can normally be reached Monday-Friday from 9:00 am to 5:00 pm.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino, can be reached at (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

llg  
June 25, 2004

*Linda D. Gray*  
LINDA GRAY  
PRIMARY EXAMINER